

chines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machine for the purpose of carrying passengers and freight, both or either including United States Mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any state of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas be amended by adding thereto Section 79, to read as follows:

Section No. 79. A private corporation may be formed and chartered for the construction, building and manufacture of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated any such machines for the purpose of carrying of passengers and freight, both or either, including United States mail, from and to any point in this State and subject to the laws thereof, to and from any point in any state of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields.

Section 2. Whereas, there is now no provision of the statute authorizing the incorporation of private corporations for the construction, building and manufacture of aeroplanes, and there is a large demand for the construction, building and manufacture of same, and for the development of this industry in this State, which creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas.
Saturday, February 8, 1919.
The Senate met at 10 o'clock a. m.

pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Woods.
Gibson.	

Absent.

Caldwell.

Absent—Excused.

Buchanan of Bell.	Smith.
Clark.	Strickland.
Faust.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Clark was excused for yesterday and today and Senator Smith for today and Monday on account of important business on motion of Senator Bailey.

Senators Witt and Strickland were excused for today on account of important business on motion of Senator Dorough.

Senators Buchanan of Bell, and Faust were excused for today on account of important business on motion of Senator Hopkins.

Petitions and Memorials.

See appendix.

Standing Committee Reports.

See appendix.

Bills and Resolutions.

By Senator Hertzberg:

S. B. No. 234, A bill to be entitled "An Act requiring every purchaser of any motor vehicle or accessories

therefor giving a mortgage thereon for the purchase price thereof, or any portion thereof, upon demand, to notify the mortgagee or holder of such mortgage of the location of such motor vehicle; and providing punishment for failure to comply; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dudley:

S. B. No. 235, A bill to be entitled "An Act to amend House Bill No. 128 passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, providing that teachers in the public free schools shall be required to conduct school work in the English Language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing the penalties for the violation of provisions of this Act, and further providing that said Act shall not prevent the teaching of French and Spanish in the Public Free Schools of the State of Texas, and granting authority to the trustees of said public free schools to prescribe the text books for the teaching of said languages."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. 236, A Bill to be entitled "An Act to amend Chapter 181 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas (page 396 of said laws) relating to the regulation, growing and marketing of fruits and vegetables, by adding thereto Section 9A, exempting the onion growers from the provisions of said Act, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Parr:

S. B. No. 237, A Bill to be entitled "An Act amending Chapter 147, of Act of the Thirty-fourth Legislature for the collection of delinquent taxes, provided for a reasonable compensation for report of an Abstract company or individual abstractor as to the record owner of property reported delinquent, and as to the holders of any liens against said property and report as to subsequent

conveyances; charging such fee as additional cost against the delinquent lands, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senators Hopkins and Suiter:

S. J. R. No. 20. A resolution to be entitled a Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to the State Constitution so as to extend to any county or sub-division thereof the right to levy by majority vote of the qualified voters, who have been assessed or paid property tax, a special tax of not exceeding sixty cents on the one hundred dollars valuation for the maintenance and improvement of public roads.

Read first time and referred to Committee on Constitutional Amendments.

Senate Bill 99—Conference Committee Elected.

Senator Dayton sent up the following written motion:

I move that the Senate do not concur in amendment to S. B. No. 99, but ask for a free conference committee and I nominate the following Senators to act as conferees on part of Senate: Carlock, Dean, Bell, Bailey, Hall.

DAYTON.

The motion was read and adopted and the Senators named therein were elected as conferees on the part of the Senate.

Senate Bill No. 233—Re-referred.

By unanimous consent and on request of Senator Alderdice S. B. No. 233 was withdrawn from the Committee on Civil Jurisprudence and referred to the Committee on Counties and County Boundaries.

Morning call concluded.

Senate Bill No. 103.

The Chair laid before the Senate as pending business on second reading:

S. B. No. 103, A Bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of

aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools and providing how such schools shall be located and school buildings constructed, furnished and maintained, and providing certain prerequisites for the granting of such aid, etc."

The question being upon the pending amendment by Senator Suiter, and the same was withdrawn.

Senator Dean offered the following amendment which was read and adopted:

(4) Amend by renumbering subdivisions of Section 5 as follows: sub-divisions 2, 5, 6 be numbered 1, 2 and 3 respectively.

Senator Dean offered the following which were read and adopted, severally:

(5) Amend Senate Bill 103 by striking out the words "equal to" in line 19 on page 6, and substituting therefor the words "not exceeding."

WITT.

(6) Amend Senate Bill No. 103 by adding sub-divisions 4 to Section 5, reading as follows:

"Provided that State aid not exceeding \$500.00 for any one school may be granted under this section in any one year."

WITT.

Senator Dayton offered the following amendment:

Amend Senate Bill No. 103 in line 3, page 2 of printed bill by striking out the figures \$2,000,000.00 and insert in lieu thereof \$1,500,000.00 and change same in caption and wherever else it may appear to read \$1,500,000.00 instead of \$2,000,000.00.

Pending discussion the amendment was withdrawn.

Senator Suiter offered the following amendment which was read and adopted:

(7) Amend Senate Bill No. 103, page 5 by changing the period in line 7 to a semi-colon and adding the following: "Provided that any school district which has not received aid for one year shall receive such aid for one time only, even

though no such tax has been voted by said district.

Senator Dean offered the following amendment which was read and adopted:

(8) Amend Senate Bill No. 103 by adding thereto Section 2 as follows:

"Section 11. The importance of this legislation and the fact that this is a regular session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each House be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 103 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.
Floyd.	

Absent.

Caldwell.	Page.
Hall.	

Absent—Excused.

Buchanan of Bell.	Smith.
Clark.	Strickland.
Faust.	Witt.

The bill was laid before the Senate, read third time and on motion of Senator Dean, was passed finally.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Sen-

ate, after their captions had been read, the following bills:

S. B. No. 116, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied citizens of Fayette County who are between the ages of 21 and 60 years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay said tax; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 117, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23rd day of March, 1911, by adding to said Act Section 17, providing that funds hereafter derived from any county road tax or from the sale of any county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioner's precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county, and the Commissioners' Court shall require the County Treasurer to keep a separate account for each commissioner's precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act creating the Colorado Independent School District in Mitchell County, Texas, and declaring an emergency."

S. B. No. 123, A bill to be entitled "An Act to amend Section 1 of Chapter 67, Special Laws of the Regular Session of the Thirty-fourth Legislature, approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said Chapter, Sections 2a and 2b validating an order passed by the commissioners court of Burnet County, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in this Act, and validating a bond election heretofore held in said district, and declaring an emergency."

Senate Bill No. 51.

The Chair laid before the Senate on second reading:

S. B. No. 51, A bill to be entitled "An Act to create a board of examiners of land surveyors that shall serve without pay, and prescribing their duties; prescribing the subjects in which applicants for land surveyors' license shall be examined; providing for the issuance of land surveyors' license to graduates of the civil engineering department of the State University and the Agricultural and Mechanical College without examination; providing for the revocation of land surveyors' license for certain causes, and allowing appeals therefrom; providing for the bonding of licensed land surveyors; prescribing the duties of licensed land surveyors and qualifications of county surveyors and fixing their jurisdiction and fixing the compensation of licensed land surveyors; prohibiting others than licensed land surveyors from performing the duties of land surveyors, and from recording their work; prohibiting licensed land surveyors from purchasing or being interested in the purchase or acquisition of title to any public land; prescribing penalty for the violation of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Buchanan of Scurry, the bill was laid on the table subject to call.

Senate Bill No. 104.

Senator Dean called up and the Chair laid before the Senate on second reading:

S. B. No. 104, being a bill to be entitled "An Act to amend Article 6967 of the Revised Civil Statutes of Texas of 1911, defining and designating the persons to whom may be granted pensions as Confederate soldiers and sailors or their widows, so as to provide the women, now widows, who were wives of Confederate soldiers and sailors and after the death of said soldiers and sailors remarried, may be eligible to the grant of a pension, and declaring an emergency."

The bill was read second time and on motion of Senator Dean, was ordered engrossed.

Adjournment.

At 11:14 o'clock a. m. the Senate, on motion of Senator Bailey, adjourned until 10 o'clock next Monday morning.

APPENDIX.**Petitions and Memorials.**

Senator Woods presented a memorial from the chairman and secretary of the National Association for Advancement of Colored People, of Corsicana, strongly urging the passage of the anti-mob law.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, Feb. 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 116 carefully compared and find the same correctly enrolled.

COUSINS, Vice Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 117 carefully compared and find the same correctly enrolled.

COUSINS, Vice Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 123 carefully compared and find the same correctly enrolled.

COUSINS, Vice Chairman.

Committee Room,
Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 48 carefully compared and find the same correctly enrolled.

COUSINS, Vice-Chairman.

Engrossing Committee Report.

Committee Room.

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 87 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room.

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, have had S. B. No. 137, being a bill entitled "An Act to prevent persons who have given a mortgage on furniture, fixtures, etc., from removing or allowing same to be moved without the written consent of the mortgagee."

Under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass. But that the Committee Substitute for said bill, hereto attached, do pass.

Respectfully submitted,
SUITER, Chairman.

Committee Room.

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate:

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 19, being a resolution "To amend Section 50, Article 3 of the Constitution of the State of Texas to provide that the Legislature shall have power to give or lend or authorize the giving or lending of the credit of the State for the purpose of assisting citizens who are heads of families to acquire or improve their homes; authorizing the State to acquire, improve, sell or lease real estate or assist such citizens to acquire or improve their homes upon terms and conditions prescribed by the Legislature; authorizing the Legislature to create such agencies and corporations as may be necessary to carry out the purposes of this Section; providing that obligations created under this Section shall never be taxed and providing that the Legislature shall have authority to provide a method of se-

curing any deferred payments for lands purchased hereunder, and that such obligations shall be secured in addition to the usual liens by an annual assessment collected against the land; and providing that the Legislature shall have no power to relieve any person from any obligation entered into under this provision or any statute enacted thereunder."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

BUCHANAN of Bell, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts to whom was referred House Bill No. 138, An Act to increase the civil jurisdiction of the County of Mitchell County, have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

DOROUGH,
BAILEY,
WILLFORD.
HALL,

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 224, A bill to be entitled "An Act for the relief of the heirs of Charles Broach and to validate a survey of 320 acres of land in Franklin County, made by virtue of certificates granted to William Lane, and to authorize the Commissioner of the Land Office to issue patents thereto,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Caldwell, Bell, Buchanan of Scurry, Dudley.

TWENTIETH DAY.

Senate Chamber,
Austin, Texas,

Monday, February 10, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Williford.

Absent—Excused.

Dorough.
Johnston.

Smith.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Dorough was excused for today on account of important business on motion of Senator Floyd.

Senator Johnston for today on account of important business on motion of Senator Dean.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Buchanan of Bell:

S. B. No. 238, A Bill to be entitled "An Act authorizing the Commis-